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Attorney for PLAINTIFF,
Daniel Alvarez

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

DANIEL ALVAREZ,

Plaintiff,

vs.

LOS ANGELES COUNTY, LOS
ANGELES COUNTY CHILDREN AND
FAMILY SERVICES, AND CATIE
REAY,

Defendants.

Case No.: 2:24-CV-01035-ODW Judge:
Honorable Otis Wright

**DECLARATION OF ANGELA
SWAN, ESQ. IN SUPPORT OF
MOTION TO VACATE
DISMISSAL ORDER ENTERED
ON JULY 15, 2025**

**Hearing Date: September 22, 2025
Hearing Time: 1:30 p.m.**

DECLARATION OF ANGELA SWAN IN SUPPORT OF MOTION TO VACATE ORDER DISMISSING CASE
AGAINST DEFENDANT REAY

1 I, Angela Swan, declare as follows.

2 1. I am an attorney at law duly licensed to practice before all court within the
3 State of California. I have been so licensed since June 2001. I make this
4 declaration in support of Plaintiff's Motion to Vacate Dismissal Order entered on
5 July 15, 2025.
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8 2. Unless otherwise stated upon information and belief, I make this declaration
9 of my own personal knowledge. If called upon to testify, I could and would testify
10 as follows:
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12 3. On June 15, 2025, Alvarez file a Fourth Amended Complaint itahave
13 practice civil law litigation for over 20 years. I make this declaration in support of
14 Plaintiff over the age of 20 years and am a party to this action. I have personal
15 knowledge of the facts stated in this declaration, and if called as a witness, could
16 and would testify competently to the truth of the facts as stated herein.
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19 4. On June 23, 2025, Defendant, Reay, filed a Motion to Dismiss and a Motion
20 to Strike. On June 15, 2025, Plaintiff filed a Fourth Amended Complaint. The
21 Fourth Amended Complaint was stricken on June 30, 2025.
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23 5. The Fourth Amended Complaint should not have been filed prior to a
24 request to amend being filed with the court or a stipulation by the parties.
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26 6. Swan did not have the opportunity to file an opposition to the Motion to
27

28 DECLARATION OF ANGELA SWAN IN SUPPORT OF MOTION TO VACATE ORDER DISMISSING CASE
AGAINST DEFENDANT REAY

1 Strike and Dismiss the Third Amended Complaint.

2 7. Alvarez does have a meritorious lawsuit against Reay.

3
4 8. Swan did comply with the Rules of Court by conducting a meet and confer
5 with counsel representing Ms. Reay and advising her that a motion to vacate the
6 dismissal would be filed.
7

8 9. My reason for not filing and Opposition to Defendant's Motion to dismiss
9 was based on a misunderstanding that I could file the Fourth Amended Complaint.
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11 On June 30, 2025, the court struck the Fourth Amended Complaint.

12 Approximately one week later, The Court dismissed the case against Catie Reay.
13

14 10. I therefore did not have the time or opportunity over the week time span to
15 file an opposition to the Motion to Dismiss.
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18 DATED: August 25, 2025

THE LAW OFFICES OF ANGELA
SWAN, APC

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21 By:



Angela Swan, Esq.,
Attorney for DANIEL ALVAREZ

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28 DECLARATION OF ANGELA SWAN IN SUPPORT OF MOTION TO VACATE ORDER DISMISSING CASE
AGAINST DEFENDANT REAY

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AGAINST DEFENDANT REAY